

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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NATIONAL CREDIT UNION ADMINISTRATION :
BOARD, etc., :
                Plaintiff, : 13cv6705 (DLC)
                -v- : 13cv6719 (DLC)
                : 13cv6721 (DLC)
MORGAN STANLEY & CO., et al., : 13cv6726 (DLC)
                : 13cv6727 (DLC)
                Defendants. : 13cv6731 (DLC)
                : 13cv6736 (DLC)
And other NCUA Actions. :
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UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

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NATIONAL CREDIT UNION ADMINISTRATION :
BOARD, etc., :
                Plaintiff, : 11cv2340 (JWL)
                -v- : 11cv2649 (JWL)
                : 12cv2591 (JWL)
RBS SECURITIES, INC., f/k/a GREENWICH : 12cv2631 (JWL)
CAPITAL MARKETS, INC., et al., : 12cv2648 (JWL)
                : 13cv2418 (JWL)
                Defendants. :
                :
And other NCUA Actions. :
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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

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NATIONAL CREDIT UNION ADMINISTRATION      :
BOARD, etc.,                               :
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                                Plaintiff,    :
                                -v-          :
                                           :
RBS SECURITIES, INC., f/k/a GREENWICH      :      11cv5887 (GW)
CAPITAL MARKETS, INC., et al.,             :      11cv6521 (GW)
                                           :
                                Defendants.   :      ORDER
                                           :
And other NCUA Actions.                    :
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HON. DENISE COTE, HON. JOHN W. LUNGSTRUM, and HON. GEORGE H. WU,  
District Judges; and HON. JAMES P. O'HARA, Magistrate Judge:

On August 12, 2015, NCUA submitted an application to our three Courts requesting that Credit Suisse ("CS") be ordered to respond to its interrogatories in the Kansas action by August 28, 2015. CS has opposed this application in a submission of August 14. The context for this dispute is as follows.

On May 27, 2015, the Honorable John W. Lungstrum reinstated 12 Certificates that had previously been dismissed from the CS Kansas action. In an Order of June 18, our Courts adopted a modified pretrial schedule that provided for a period of "supplemental fact discovery" relating to the reinstated Certificates. The deadline for substantial completion of supplement document production is August 14, 2015; supplemental fact discovery closes on October 30, 2015.

Pursuant to Section 7(a) of the Master Discovery Protocol, NCUA has served on CS six sets of interrogatories, consisting in total of 25 interrogatories. The first set was served on October 4, 2014; the most recent on June 8, 2015. To date, CS has not responded to any interrogatories with respect to the 12 reinstated Certificates.

NCUA has granted CS extensions of the time to respond to its interrogatories to July 31, August 14, and then August 28. CS declined NCUA's schedule, proposing an alternative schedule by which it would provide a first batch of responses by August 14, additional responses by August 31, and the remainder of their responses by October 14.

NCUA now seeks an Order from our Courts that CS answer all of NCUA's interrogatories for the reinstated Certificates by August 28, 2015. In response, CS proposes today a schedule for rolling responses to NCUA's interrogatories on August 14, August 28, September 14, and a final production on September 30. It is hereby

ORDERED that NCUA and CS shall meet and confer regarding CS's most recent proposal and bring any remaining dispute to our Courts' attention by August 17, 2015, at noon EDT.

Dated: August 14, 2015                      /s/ Denise Cote  
United States District Judge

Dated: August 14, 2015                      /s/ George H. Wu  
United States District Judge

Dated: August 14, 2015                      /s/ John W. Lungstrum  
United States District Judge

Dated: August 14, 2015                      /s/ James P. O'Hara  
United States Magistrate Judge